

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT DANIEL EBERWEIN, et al.,

Plaintiffs,

v.

DAVID S. LIVINGSTON, et al.,

Defendants.

Case No. [13-cv-02480-WHO](#)

**ORDER DISMISSING CASE FOR
FAILURE TO PROSECUTE**

On July 11, 2013, the Court issued an Order dismissing the complaint for failure to state a claim and the application to proceed *in forma pauperis* for failure to provide necessary information. Docket No. 10. Plaintiffs were given until July 31, 2013 to submit an amended complaint and a completed IFP application, and were warned that failure to file those documents by that date would result in dismissal of this case.

As of the date of this Order, plaintiffs have not filed either an amended complaint or a completed IFP application. As such, this case is HEREBY DISMISSED for failure to prosecute under Federal Rule of Civil Procedure 41(b).

IT IS SO ORDERED.

Dated: August 6, 2013



WILLIAM H. ORRICK
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

ROBERT D EBERWEIN et al,
Plaintiff,

Case Number: CV13-02480 WHO

CERTIFICATE OF SERVICE

v.

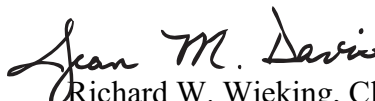
DAVID S LIVINGSTON et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 6, 2013, I SERVED a true and correct copy of the attached, by placing said copy in a postage paid envelope addressed to the person hereinafter listed, by depositing said envelope in the U.S. Mail.

Robert Daniel Eberwein
541 Banyan Circle
Walnut Creek, CA 94598

Dated: August 6, 2013


Richard W. Wieking, Clerk
By: Jean Davis, Deputy Clerk